

RCRA REVISION CHECKLIST 49

Identification and Listing of Hazardous Waste;
Treatability Studies Sample Exemption
53 FR 27290-29302
July 19, 1988
(Non-HSWA Cluster V)

Note: The standards addressed by 261.4(e) and (f) are less stringent than existing Federal requirements; thus, authorized States are not required to adopt them. EPA strongly encourages States to do so, however, to facilitate evaluating remediation alternatives for CERCLA clean-ups and for the RCRA Corrective Action Program. This rule will also speed research and development for treatment alternatives to land disposal and waste minimization, recycling, and reuse. This rule was amended by a February 18, 1994 rule (59 FR 8362-8366; Revision Checklist 129) which increases the quantity and time limits for contaminated media to be used in treatability studies. States which are not authorized for Revision Checklist 49 and who choose to adopt this checklist are encouraged to adopt the revisions addressed in Revision Checklist 129 at the same time the requirements addressed by Revision Checklist 49 are adopted.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:					
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE		
PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL								
SUBPART B - DEFINITIONS								
DEFINITIONS								
† add "treatability study"	260.10							
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE								
SUBPART A - GENERAL								
† EXCLUSIONS								
regulation of treatability study samples and relation to quantity determination of 261.5 and 262.34(d)	261.4(e)(1)							
collection and preparation of sample for transport	261.4(e)(1)(i)							
accumulation or storage of sample prior to transport	261.4(e)(1)(ii)							
transport of sample to laboratory or testing facility	261.4(e)(1)(iii)							

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introductory paragraph regarding provisions for exemption under (e)(1)	261.4(e)(2)					
sample size limit by hazardous waste type for sample collector	261.4(e)(2)(i)					
weight limit for each sample shipment	261.4(e)(2)(ii)					
packaging requirements for sample	261.4(e)(2)(iii)					
compliance with U.S. DOT, USPS or other for transport	261.4(e)(2)(iii)(A)					
information required if DOT, USPS, or other do not apply to shipment	261.4(e)(2)(iii)(B)(1)-(5)					
laboratory or testing facility requirements	261.4(e)(2)(iv)					
3-year maintenance of specified records	261.4(e)(2)(v)					
records which must be maintained	261.4(e)(2)(v)(A)-(C)					
biennial report requirements	261.4(e)(2)(vi)					
granting of requests for additional quantities; application procedure	261.4(e)(3)					
reason for request and additional quantity needed	261.4(e)(3)(i)					
required documentation	261.4(e)(3)(ii)					
description of technical modifications	261.4(e)(3)(iii)					

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equipment and mechanical failure information	261.4(e)(3)(iv)					
other information	261.4(e)(3)(v)					
requirements for samples undergoing treatability studies at labs and testing facilities	261.4(f)					
notification requirements	261.4(f)(1)					
EPA identification number of laboratory or testing facility	261.4(f)(2)					
single day quantity restrictions on initiation of treatment studies	261.4(f)(3)					
limitations on storage of treatability study samples	261.4(f)(4)					
exclusion of treatability study residues	261.4(f)(4)(i)					
exclusion of added treatment materials	261.4(f)(4)(ii)					
90 days/1 year limitations on duration of exemption	261.4(f)(5)					
land placement and open burning of study samples not allowed	261.4(f)(6)					
3-year maintenance and storage of treatability study records	261.4(f)(7)					
list of specific information needed for each treatability study	261.4(f)(7)(i)-(vii)					
3-year maintenance of shipping records and treatability study contract	261.4(f)(7)					

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laboratory or treatability study facility annual report requirement	261.4(f)(9)					
required annual report information	261.4(f)(9)(i)-(vii)					
hazardous waste determination for unused samples by facility	261.4(f)(10)					
notification when facility discontinues treatability studies	261.4(f)(11)					